

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, NOVEMBER 13, 19 79

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening November 13 A.D., 19 79, in
Regular Session. President Winfield C. Moses, Jr. in the chair,
and Charles W. Westerman Clerk, at the desk, present the following
members _____ viz: 6/3

BURNS ✓, HINGA ✓, HUNTER A,
MOSES A, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT A, STIER ✓, TALARICO ✓,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by Reverend Stanley Manoski - Queen of
Angels Catholic Church

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____, 19 _____,
_____, 19 _____,
Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

November 16, 1979

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 87/79/E.

For the Purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 87/79/ E)

I hereby certify that I did this 16th day of
November, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 87/79/ E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 87/79/E

(Adopted November 16, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to ONE WAY ALLEY (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 15, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 16, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY ALLEY (EMERGENCY)

The alley between John St. and Smith St. One Way Southbound from Colerick St. to Eckart St.

November 14, 1979

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers: 86/79/E

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolutions a matter of record and in-
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 86/79/ E)

I hereby certify that I did this 14th day of November, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 86/79/ E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jimmy Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 86/79/E

(Adopted November 14, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 66/79E & 67/79/E

STOP INTERSECTION (EMERGENCY); NO PARKING (EMERGENCY);

DELETE: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 13, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 14, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lexington Ave. -- stop -- Hartman Rd.

NO PARKING (EMERGENCY)

Old Trail Rd. -- both sides -- from Prairie Grove Dr. to Bluffton Rd.

DELETE:

NO PARKING (EMERGENCY)

Old Trail Rd. -- both sides -- from Prairie Grove Dr. to 1350' north thereof


President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers: 83/79/E
84/79/D
85/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 83/79/E
84/79/D
85/79/E)

I hereby certify that I did this 13th day of
November, 1979 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 83/79/E
84/79/D of the Board of Public
85/79/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Terry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 83/79/E

(Adopted November 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY); STOP INTERSECTION (EMERGENCY) DELETE STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 8, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 13, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Newago Rd. -- stop -- for Production Rd.

STOP INTERSECTION (EMERGENCY)

Barr St. -- stop -- for Douglas Ave.

DELETE:

STOP INTERSECTION (EMERGENCY)

Douglas Ave. -- stop -- for Barr St.

REGULATORY RESOLUTION NO. 84/79/D

(Adopted November 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 8, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

November 13, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Douglas Ave. -- south side -- from the East property line of Clinton St. to 110 ft. east thereof

REGULATORY RESOLUTION NO. 85/79/E

(Adopted November 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to NO PARKING (EMERGENCY); DELETE NO PARKING

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 8, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 13, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Douglas Ave. -- south side -- from Barr St. to Lafayette St.

Barr St. -- east side -- from Douglas Ave. to the southern terminus to the U. S. Postal facility property

DELETE
NO PARKING (EMERGENCY)

Barr St. -- west side -- from Douglas Ave. to the first alley south thereof (southern terminus of the U.S. Postal facility property)

President of the Common Council

City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 82/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record
and incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted:

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 82/79' E)

I hereby certify that I did this 9th day of
November, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 82/79' E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Terry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 82/79/E

(Adopted November 9, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 63/79/E:

THRU STREET (EMERGENCY) STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 7, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 9, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

High St. -- from -- Wells St. to Sherman Blvd. except at Wells St. & Sherman Blvd.

STOP INTERSECTION (EMERGENCY)

Andrew St. -- stop -- for Fourth St.

Putnam St. -- stop -- for Short St.

Putnam St. -- stop -- for Meridian St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 81/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in cursive script, reading "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety



REALTOR

FREDRICK R. HUNTER

727 Fulton Street
Fort Wayne, Indiana 46802

219 - 743-3386

November 9, 1979

Mr. Charles Westerman
1st Floor City-County Building
Fort Wayne, Indiana 46802

Dear Mr. Westerman:

Mr. Hunter has asked me to advise you that he will be unable to attend the City-Council meeting Tuesday, November 13th, because he will be out of town.

Sincerely,

Cheryl R. Irmscher

Cheryl R. Irmscher
Secretary to Fredrick R. Hunter

MADE A MASTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 81/79/E)

I hereby certify that I did this 5th day of
November, 1979 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 81/79/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Larry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 81/79/E

(Adopted November 5, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to FINAL RENEW & EXTEND REG. RES: 62/79/E:

ONE WAY ALLEY (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 1, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 5, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY ALLEY (EMERGENCY)

The alley between Berry St. & Wayne St. One Way Eastbound from Barr Street to Lafayette St.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

November 5, 1979

vivian g. schmidt

councilwoman-at-large

Mr. Charles W. Westerman
Clerk of the City of Fort Wayne
1 Main St.
Fort Wayne, IN 46802

Dear Charlie:

I will not be in attendance at the November 13 meeting
of the Common Council as I shall be out of town at that time.

Sincerely,

Vivian G. Schmidt
Member of Common Council

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

MADE A MATTER OF RECORD
DATE _____ CLERK OF THE CITY OF FORT WAYNE
AN EQUAL OPPORTUNITY EMPLOYER



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OFFICE OF THE GOVERNOR
INDIANAPOLIS, INDIANA 46204

OTIS R. BOWEN, M. D.
GOVERNOR

November 2, 1979

Mr. Charles W. Westerman
Clerk of the City of Ft. Wayne
Office of the City Clerk
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Westerman:

This is to acknowledge receipt of your letter in which you enclosed a copy of resolution R-63-79 requesting the Public Service Commission to hold hearings on winter disconnections of utility service.

You may not be aware that, over the past several years, the Commission has held extensive hearings on disconnection of service and a number of related issues. As a result of these hearings, rules outlining the rights and obligations of consumers and utilities with respect to these issues have been adopted with regard to electric, gas, water and telephone utilities. I understand the Citizens Action Coalition, its predecessor organizations, as well as other consumer groups, participated extensively in these proceedings.

Following the Commission's adoption of these rules and regulations concerning disconnection of utility service and other related matters, Congress enacted the National Energy Act. Title I of that Act, known as the Public Utility Regulatory Policies Act of 1978 (PURPA) requires state commissions to consider certain rate and service standards, including those relating to termination of utility service and information to consumers. This past summer, the Commission held public hearings in an effort to determine if its existing rules for standards of service for electric and gas utilities were in compliance with PURPA. The Citizens Action Coalition participated in these hearings. As you may know, on October 29, the Commission found its existing rules to conform with the PURPA requirements. The Commission did, however, warn that if further evidence shows the utilities are not doing a sufficient job in this area, more stringent rules will be considered.

MADE A MATTER OF PUBLIC RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

Mr. Charles W. Westerman

Page 2

November 2, 1979

The proceedings which resulted in the Commission's existing rules were public proceedings at which public comment was encouraged and usually received from consumers as well as consumer groups. While I share the Council's concern for ratepayers, particularly those who are especially vulnerable to physical harm from the termination of utility services, the Public Service Commission appears to have adequately provided remedies for these ratepayers in their existing rules. I will, therefore, support the Commission's determination as to the necessity for additional hearings.

Kindest personal regards,

A handwritten signature in dark ink, appearing to read "Otis R. Bowen", written in a cursive style.

Otis R. Bowen, M.D.
Governor

ORB:dt

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Safety Regulatory Resolution Number: 80/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in cursive script, reading "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 80/79/ E)

I hereby certify that I did this 1st day of November, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 80/79/ E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Derry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 80/79/E
(Adopted November 1, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 31, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 1, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Hawthorn Rd.	-- stop --	for North Washington Rd.
Hawthorn Rd.	-- stop --	for Saginaw Dr.

October 31, 1979

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 79/79/D

For the Purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Terry Coonan".

Terry Coonan, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 79/79 / D)

I hereby certify that I did this 31st day of
October, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 79/79 / D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Henry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 79/79/D

(Adopted October 31, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION
(DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 30, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

October 31, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Queen St. -- preferential -- at McKee St.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 October 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission one one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-09-05

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of October 1979.

Thomas G. Adams
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 October 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached here to is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 22, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-79-09-05
2. From R-2 to R-1
3. Intended Use: Single Family Residences
4. Plan Commission Recommendation: DO PASS

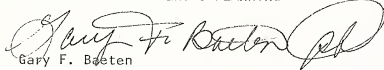
This ordinance received a DO PASS recommendation for the following reason:

- a. This rezoning will add to the revitalization of an inner-city neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 11, 1979, referred a proposed zoning ordinance map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-09-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 15, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

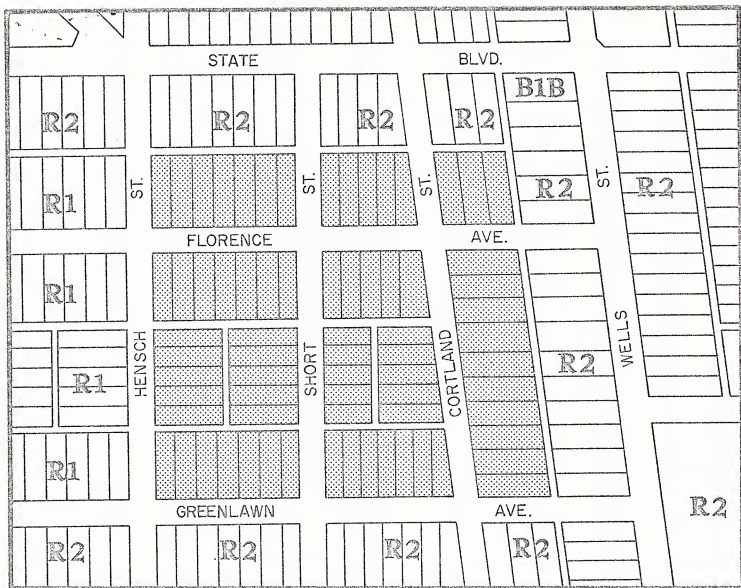
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 22, 1979.

Certified and signed this
29th day of October, 1979.



Thomas G. Adams
Secretary



AMENDMENT - R2 TO R1

Z-79-09-05

MAP NR. - L-14





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 October 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated alleys.

The proposed ordinance is designated as:

BILL NO. G-79-09-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of October 1979.

Thomas G. Adams
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 October 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held October 22, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-09-07
2. Intended Use: Construction of new Civic Center
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The vacation of the two alleys described in this petition will provide for the future development of the land.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten ph
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

W. WASHINGTON

PARKING
GARAGE

S. HARRISON

S. CALHOUN

W. JEFFERSON

EMBASSY THEATRE

CONSERVATORY

6-79-09-07

FORT WAYNE
REDEVELOPMENT
COMMISSION



DATE PROJECT TITLE



Alley Vacation

Civic Center
Renewal Project Block 1

8-77

SCALE 1 in = 100 ft
0 50' 100'

LEGEND

RESOLUTION

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys in Fort Wayne, Allen County, to-wit:

The North-South alley from the north right-of-way of Jefferson Street to the south right-of-way of Washington Street and the East-West alley from the east right-of-way of Harrison Street to the west right-of-way of Calhoun Street both within the block consisting of Lots 418 to 424 and Lots 448 to 453 all in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 15, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alleys.

WHEREAS, said vacation of the alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Thomas G. Adams, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 15, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF October 1979

FORT WAYNE CITY PLAN COMMISSION

Thomas G. Adams
Thomas G. Adams
Secretary

68-114-4 10/31/79

R E S O L U T I O N 68-114-4

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

The North-South alley from the north right-of-way of Jefferson Street to the south right-of-way of Washington Street and the East-West alley from the east right-of-way of Harrison Street to the west right-of-way of Calhoun Street both within the block consisting of Lots 418 to 424 and Lots 448 to 453 all in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

COUNTY OF ALLEN) SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held October 31, 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 31st DAY OF October 19 79

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Max G. Scott
Max G. Scott, Member

Ethel H. LaMar
Ethel H. LaMar, Member

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 78/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 78/79 / E)

I hereby certify that I did this 26th day of
October, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 78/79 / E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 78/79/E

(Adopted October 26, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 60/79/E

STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated October 25, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

October 26, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Jackson St. -- stop -- for Lavina St.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 October 1979

Members of the Common Council
of the City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Re: Resolution of the City
Plan Commission

Gentlemen and Mrs. Schmidt:

The City Plan Commission does hereby recommend that the City Council give a DO PASS to Annexation Bill No. X-79-10-13, "The Park". This is a voluntary annexation and should be effective upon Council approval, signature by the Mayor, and legal publication thereof.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of October 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK
DATE _____

Memorandum

To Members of City Council

Date 10-23-79

From Paul Norby / CD&P *APW*

Subject Voluntary Annexation of The Park, X-79-10-13

COPIES TO:

James Stier
Winfield Moses
Paul Burns
Vivian Schmidt
Samuel Talarico
John Nuckols
Donald Schmidt
William Hinga
Fredrick Hunter
Logan
Westerman
Scrogam
File

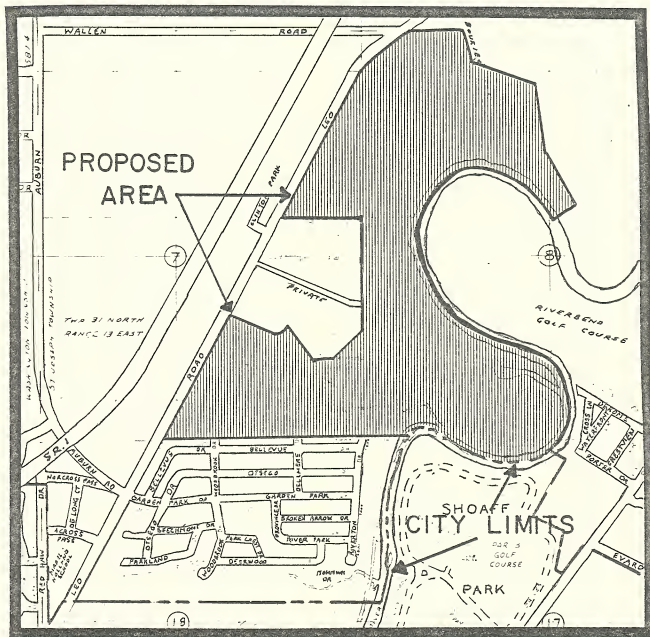
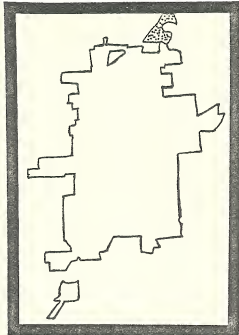
Attached are materials for The Park annexation, Bill No. X-79-10-13. Included are the original ordinance, the necessary resolution for The Park, a Plan Commission Resolution recommending DO PASS, and the Fiscal Plan.

This is a voluntary annexation petitioned for by 100% of the owners of the territory including the City which owns 75 acres of riverfront ground in the area. The total area is 347 acres. There are two dwelling units and one commercial establishment involved. Over 99% of the area is undeveloped.

The Park is north of Concordia Gardens and northwest of Shoaff Park. It is contiguous to the City and the other criteria of the voluntary annexation law are met. The Fiscal Plan is required by Common Council Resolution R-56-79. It shows that this annexation is fiscally feasible. There is little development in the area now, and it is expected to develop only gradually.

Should the Council desire to have a public hearing on this, our staff will be available. We would like to note, however, that all of the owners of record have petitioned the City for the annexation. Whatever your decision regarding the calendar for discussing X-79-10-13, please keep us informed so that we can be present to discuss it with you.

CITY OF FORT WAYNE



INTRODUCTION

The proposed Park voluntary annexation area is located north of Fort Wayne in St. Joseph Township. The Fort Wayne area is expected to continue growing, and this is one area that could absorb residential development. Currently undeveloped, the Park area is adjacent to the existing urban area, is well served by sewer facilities and is located along a major traffic route, Leo Road and North Clinton. Thus it is well suited for adjacent growth.

Annexation at this time would provide the City of Fort Wayne with planning control. All new development would then have to be consistent with City standards and policies. Also, there would be no doubt that urban services would be provided by the City. This saves duplication and promotes more efficient and effective service provision.

The owners of the territory involved have petitioned the City for annexation. More than fifty-one percent (51%) of the owners did sign the petition and the area is contiguous to the City based on Annexation Ordinance X-25-Shoaff Park. Thus, the voluntary annexation criteria of I.C. 18-5-10-23 are met.

The City Council has adopted General Annexation Resolution R-56-79. This resolution required that a fiscal plan meeting the criteria of State annexation law (I.C. 18-5-10-25) be prepared. This report does so by giving cost estimates of services to be provided, by stating the methods of financing these services, by giving a plan for extending these services, and by showing how non-capital and capital services will be furnished within one year and three years, respectively, as required. Additionally, this plan summarizes the fiscal impact of annexation upon the City and makes a recommendation.

BASIC DATA

1. Location

Generally located north of the City of Fort Wayne in St. Joseph Township as follows: east of Leo Road, south of Wallen and Brooks Roads, west of the St. Joseph River, northwest of Shoaff Park, and due north of Concordia Gardens. It is contiguous to the City along the boundary adjacent to Shoaff Park that follows the centerline of the St. Joseph River.

2. Size

347 acres or .54 sq. miles.

3. Population/Density

There are 2 dwelling units in the area. The estimated population is 6.

4. Buildings

<u>Type</u>	<u>Number</u>	<u>Condition</u>
Residential	2	Fair to poor
Commercial	4	Fair to poor

5. Land Use

Residential	2 Acres	.6%
Commercial	1 Acre	.3%
Vacant	344	99.1%

6. Zoning

<u>County Zoning</u>	<u>Description</u>	<u>City Zone</u>	<u>Description</u>
All RSP	Planned Residential Development	RA	Residential

7. Planning

At this time virtually the entire Park area is undeveloped. The Allen County Comprehensive Plan considered this area as suburban residential in its 1990 land use plan. Additionally, when the City Plan Commission had two-mile fringe planning jurisdiction previously, a development plan was approved for the area. It is clear then, that the area is likely to absorb some of the population growth forecast for Allen County.

Immediately south of the Park is Concordia Gardens. This residential subdivision was annexed in the mid-1960's, although the ordinance was later nullified by Court action. In 1979 the Fort Wayne City Council passed another annexation ordinance for Concordia Gardens. The Park, then, is an almost inevitable expansion of the City. It is a logical extension of the urban area and the City limits.

Annexation and eventual urban development in the area are highly compatible. The growth would be adjacent, which allows for more efficient planning and delivery of urban services and minimizes the problems of scattered growth. The concept has been adopted by the County and City Plan Commissions. Annexation furnishes the means for providing necessary services to the area. Furthermore, the principal governmental unit for providing urban services, the City, would clearly have the responsibility for doing so in The Park area.

Road access to the area is already available via Leo Road. The St. Joseph Sewer interceptor serves the area and water main extension by the developer is also feasible. Street and street lighting capital improvements will be the responsibility of the eventual developers.

At the time of this report, the first phase of the development plan review process is being geared up. However, it is virtually impossible to project the amount of development that will occur within the three year time line of State annexation law, or the five year time line of the financial summary. Complete development is almost out of the question. Regardless, with the area in the City, the City will be intimately involved in regulating the development of the area and will provide required urban services as needed and in accord with local, state, and federal laws, procedures and planning criteria.

-
1. Allen County Plan Commission, Allen County Comprehensive Plan, 1990 Land Use Map, May 1976.

MUNICIPAL SERVICES

State law requires that within one (1) year of annexation, the City provides the annexed area with "planned services of a noncapital nature" which are "equivalent in standard and scope" to those noncapital services provided to similar areas in the City. The law also requires "that services of a capital improvement nature...be provided within three (3) years of the effective date of the annexation, in the same manner as those services are provided" to similar areas within the City. Cost estimates of the services, methods of financing the services, and a plan for the organization and extension of services are also required. (I.C. 18-5-10-25 (C)). This report contains a fiscal plan for doing so.

In 1979 the Fort Wayne City Council adopted Resolution No. R-56-79 that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-56-79.

Municipal services are analyzed in terms of the needs of The Park annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats The Park area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new utility service, the standard service provision processes will be used just as they are used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include property owner petitioning and financial participation. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in The Park annexation area are presented in the following reports.

This is a plan to provide municipal services, which the City of Fort Wayne is committed to do. The exact implementation details may change as needs are re-evaluated and services re-allocated throughout the entire city. Standard City policy could also change, necessitating change in the manner and amount of service provided. Regardless of the change in details, the services will be provided to The Park area in the same manner and level that they are provided elsewhere in the City.

Once the annexation becomes effective the departments of the City of Fort Wayne will be notified so that they can appropriately modify their areas of jurisdiction. Then the Plan can be implemented.

At this time development in the area is almost nil with only two dwelling units and one small commercial facility in use. Even though full services will be provided, it is virtually impossible to calculate the cost of serving the areas 344 acres of vacant ground, six residents, and one commercial enterprise, a moderate sized auto repair shop. Alternatively,

the precise timing of future development is unknown.

A final development plan has not been submitted yet. The potential developer has estimated that there could be 400 residential units in the area by the end of three years. Until detailed plans are submitted, several departments cannot estimate future expenses. This is similar to the Wheatridge I annexation and some general estimates comparing costs to revenues can be developed. These are provided in the financial summary as a decision making guide only. The detailed service plans are tailored for current development and for handling the development process. City costs will approach the three year estimate only gradually, if they are even incurred.

1. Police

The Fort Wayne Police Department will become responsible for servicing The Park area immediately upon annexation. This service generally includes the prevention and detection of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation of maintenance and feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

The Park area can be covered by the Police Department by adjusting District 1. With the current level of development, the expense would almost be null. The County is responsible for Leo Road, but the City would routinely patrol the area itself, as required. No cost estimate can be made for such a minimal level of development.

Future development will require more extensive police coverage. Using the already approved Concordia Gardens annexation (X-05-79) as a model, roughly 10 trips a day, on the average, will be required for the amount of development expected within three years. No road mileage is available for that part of the estimate. The estimated annual cost of Concordia Gardens was \$10,300. Concordia has 300 dwelling units and 4.47 miles of residential roads. A possible cost range for the Park, then, at the end of three years, would be \$10,300 to \$14,000 annually.

Regardless of the eventual cost, the Police Department will provide the area with service substantially equivalent to that provided similar areas within the City. Service will begin upon annexation with adjustments in the provision of service to be based on constant evaluation of the area's and City's needs.

Funding for the manpower and equipment used to serve the area will come from the regular Police Department Budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

ESTIMATED ANNUAL COST: Not calculable for time of annexation.
Maximum cost in year 3 would be from \$10,300 to \$14,000. (No inflation)

2. Fire

The Fort Wayne Fire Department will provide immediate service to The Park area upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials and personnel to the proposed annexation area in the same way as it responds to similar locations within the city. Initial response will be from Station #13 at Parnell and Coliseum. Assistance will come from Station #6 on West Coliseum Boulevard. Additional City units could be called to assist as could the St. Joseph Township Fire Department. North Clinton provides good access, so response time for current development and for future development will be acceptable. Fire hydrants will be required of all future developments.

Clearly, the responsibility for an additional 6 structures of the type in this area will not result in significant additional costs. The only additional cost from the projected level of development at the end of the three years would be for operating expenses. Using the Concordia Gardens annexation (X-05-79) as a model, this could run from \$461.00 to \$612. Funding would be through the regular Fire Department Budget which comes out of the General Fund and is raised mostly by local property taxes.

Long range Fire master planning will evaluate the need for building a station somewhere north of Station #13. Although The Park annexation does not require this action, The Park area would benefit from it.

ESTIMATED ANNUAL COST: \$0

Maximum cost in three years would be from \$461 to \$612 annually. (No Inflation).

3. Emergency Medical Services (EMS)

Immediately upon annexation, The Park annexation area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention.

EMS response will usually come from the unit stationed at Fire Station #13 at the intersection of Parnell and Coliseum Boulevard. On certain runs, EMS will come from Station #1 in downtown.

The Fire Department is training its personnel so that in the near future there will be a trained emergency medical technician at each station and on all runs. They will be able to administer medical treatment before the ambulance arrives to transport the victim. Therefore, a fire unit from Station #13 will respond to emergencies when necessary.

1. An estimate was made of the annual number of fire runs and EMS support runs. Using an average cost for each piece of equipment that rolls on each run an annual cost was calculated. Labor was not included as no additional personnel is needed.

Using a rate of .08 runs per person, the area would generate less than one run per year. At a cost of \$30 per run, the annual cost would be \$30 at the most. Should 400 units be in the area by the end of three years, the average annual cost would be \$3,800.

The source of funding for Emergency Medical Service is the General Fund.

ESTIMATED ANNUAL COST; \$30
Maximum cost in year three would be \$3,800.
(no inflation)

4. Solid Waste Collection

Under the terms of the present contract, the cost of solid waste collection is \$40.00 per household per year. With 2 single family dwelling units, the total cost will be \$80.00 per year. If additional personnel are needed, they will be hired by the contractor. The City will pay this cost from the General Fund.

With a possible 400 units in three years the cost could be \$32,000 in 1980 costs. However, if some of the units are multi-family, solid waste collection will not be provided by the City.

ESTIMATED ANNUAL COSTS: \$80
Maximum cost in three years of \$32,000 (No Inflation)

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in the area upon annexation. Right now there are no public roads in the area, so there will be no expense.

The City will be concerned with regulating traffic control features of future development. Using the Wheatridge I Fiscal Plan, X-02-79, as a model for serving new developments that are annexed before substantial construction, the most likely expense will be for maintenance of traffic signs. Given the newness of the area, as well as the fact that the City will regulate the development process, this expense should be almost nil and cannot be estimated at this time.

The sources of funding for any future improvements and/or Traffic Engineering service are the General Fund, Revenue Sharing Funds, and occasionally, Motor Vehicle Highway Funds.

-
1. Traffic Engineering and Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, Ordinance X-02-79, P. 8.

6. Street Lighting

There will be no costs for street lighting as no roads are being annexed. When the area is developed, the developer will have to pay the street lighting capital costs, with lighting installation to be regulated by the City. Eventual energy and maintenance costs cannot be determined at this time since the timing and precise nature of development is unknown.

7. Streets and Roads

Since there are no public streets or roads in the area at this time, there will be no street maintenance or construction costs. The eventual developer will pay for street installation, which will have to meet City standards and satisfy public safety requirements. The City will then assume maintenance responsibility. No costs can be estimated as the total mileage of streets is unknown. Also, there is no way to tell how many miles of streets actually will be in place during the time frame of this fiscal plan.

8. Parks

The current population does not warrant park development. Given the size of the area, when it is fully developed recreational areas will be necessary.

Under current policy, the Park Department is not providing neighborhood parks for new subdivisions. Instead, during the development plan approval process, the Park Department will encourage the developer to provide adequate neighborhood park space and facilities. Also, the annexation area is within the service area of Shoaff Park, a 170 acre Community Park.

Within the annexation area are 75 acres of City owned riverfront property. This could become a part of the proposed rivergreenway system. Presently a natural area, the 75 acres would most likely be left as such. Access could be improved and biking/hiking trails developed. A small boat landing dock and picnic areas might also be provided. Once the area is in the City, the Park Department could apply for state and federal grants to pay for part of the improvements. This minor development would not occur until there is enough population in the area to warrant the expense. However, the land is already suitable for natural area use.

Costs for a funmobile stop and for street tree maintenance cannot be established at this time. A Funmobile will not be provided until the need is established and interest shown. Street tree maintenance costs cannot be established until there is knowledge that they will be installed and to a specific extent.

9. General Administrative Functions

Upon annexation all administrative functions of the City will be available to the annexation area. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayors Office,

The Board of Works, Metropolitan Human Relations, and so on. Under the rubric of General Administration would be included all the regulatory and program functions of the various City departments. When annexation becomes effective City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services can not be directly related to the size or population of an area. It is, however, the position of the City Controller that an expansion of the size proposed here can be absorbed by the City departments through their regular budgets. These budgets are developed with consideration of annexation. Therefore, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, monies from the State (MWH for example) and in some cases, Federal Grants.

1. Community Development and Planning, Annexation Program and Policy Study, 1976.

FORT WAYNE UTILITIES

Water and sewer services will be provided the area by City Utilities. These services will be paid for by the developer and then by user charges. No Civil City tax property tax revenues will be used.

1. Water

The Fort Wayne Water Utility has the capacity to provide water to the area. Main extension will be required; but this will be the developer's responsibility, particularly for the distribution mains. Since the feeder mains needed for the general area are those that will serve The Park area, they will primarily be paid for the The Park developer. Oversizing to serve areas beyond The Park is possible. This would be paid for through City Utilities funds and not through Civil City property tax funds. Annexation has no bearing on this matter since all necessary installations can occur regardless of the City boundary.

2. Fire Hydrants

Within the corporate limits, the Civil City pays the Water Utility a \$151.20 usage fee for each fire hydrant. This will be incurred once development takes place in The Park. At this time, however, the number of hydrants has yet to be determined and will not be until final development plans are submitted. Furthermore, it is not possible to tell when this cost will be incurred.

3. Sanitary Sewers

When The Park is developed it can be sewerred with extensions off of the St. Joe Interceptor Sewer. This will be paid for by the developer. The operation and maintenance costs for both interceptor and sanitary sewer extensions will be paid for through City Utilities revenues. No Civil City property tax revenues will be used for the construction of sanitary sewers in the area.

4. Storm Drainage

The storm sewer system will be installed by the developer. The City will regulate storm drainage planning and facilities effectively through the development review process. Thus, the City will make sure that an adequate storm water drainage system is provided by the developer (s) of The Park area.

FINANCIAL SUMMARY

1. Revenue

Revenue from The Park annexation will change significantly as the area develops. Again, the only known quantity is the current level of development. Thus, potential revenue varies radically from definite revenue to be gained shortly after annexation.

The earlier estimate of 400 dwelling units within three years does provide a preliminary population projection. Yet, under present economic circumstances and in the absence of an approved final development plan, the timing and value of this development can only be guessed at.

At this time the total assessed valuation in the area is \$39,080. Applying the 1979 city tax table of 3.9068 per \$100 assessed valuation, the City would receive \$1527 a year in property taxes from the area.

Other sources of revenue for the City are based upon population. The four sources are the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, and Cumulative Capital. The table below gives an estimate of the monies to be received.

<u>Revenue Source</u>		<u>Population</u>	<u>Total</u>
MVH	\$9.37/CAP	6	56.22
Alcoholic Ga.	1.62/CAP	6	9.72
Cigarette	1.24/CAP	6	7.44
Cumulative Cap.	4.62	6	27.72
			<u>\$101.10</u>

The money received from the Alcoholic Gallonage and the Cigarette Tax are placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or upon approval of the City Council, it may be placed in the General Fund. The area must be in the City by December 31, 1979, for the City to receive there funds in the 1980's.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Fund is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of The Park cannot be calculated. Still, these funds should increase with population increases.

Estimating the revenue from future development is a hazardous undertaking. This was attempted for the Wheatridge I Annexation, X-02-79.

1. Although there was a recent reassessment, the old assesment figures were used because the tax rate that will be applied to the new values has not been determined yet.
2. Community Development and Planning Wheatridge I Fiscal Plan, Bill No. X-79-02-41, X-02-79.

This is a convenient model. Assuming 400 single family units in The Park at the end of three years, in the absence of more definite information, assuming no increases in the allowable tax levy, and assuming that the value of development will be roughly similar to that of Wheatridge I, the City can expect in the vicinity of \$145,000 a year in property tax revenue from the area at the end of three years. Population based revenue would be in the area of \$21,600 annually. The City would not receive this revenue in the 1980's because the population would not be included in the 1980 Census counts.

2. Expenditures

Expenditures reported here are those that will be incurred to the Civil City. The starting point, and the only reasonably certain expenses, are those of serving the current development. An estimate of the costs with 400 units can be obtained by extrapolating from the Wheatridge I, X-02-79, Fiscal Plan. Wheatridge I was not developed at the time of annexation and is reasonably close in projected type, quality and location of development to The Park. Extrapolations from Wheatridge I, and the maximum costs reported in the municipal services reports, are discussed in detail in the Five Year Summary. Shown below are the costs to be incurred from annexing The Park as it now exists.

<u>Service</u>	<u>Capital Cost</u>	<u>Annual Operating Cost</u>
Police	-	-
Fire	-	-
EMS	-	\$30
Solid Waste Col.	-	\$80
Traffic Control	-	-
Street Lighting	-	-
Parks	-	-
General Administration	-	-
Fire Hydrants	-	-

3. Five Year Summary

In this case, unlike other annexations, a five year summary is not that enlightening. Since the area is virtually undeveloped at this time, the cost of services is extremely low. This plan estimates it to be \$110 annually. Property tax revenues will be \$1527 annually.

When a projected total of 400 dwelling units within three years of annexation is considered, the basic relationship of cost to revenue should be roughly the same as those of Wheatridge I, X-02-79. In that case revenues exceeded costs. This should hold for The Park, even without population based revenue. The Police service cost for The Park would be less per capita than for Wheatridge I because of a methodological change. (See Page 5 of this report for an estimate of the cost.) In this report estimated annual costs for this amount of development are given for police service (\$14,000), Fire Protection (\$612), EMS (\$3,800) and solid waste collection (\$32,000).

Other costs cannot be estimated at this time, as explained in the service reports. Yet, it seems clear that no costs should be much greater per unit than those estimated for Wheatridge I. Consequently, it is fair to assume that revenue will exceed costs over the course of five years. Also, costs will increase gradually with phased development. This will soften the effect of the one year of service without revenue associated with annexation.

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1. Using the stated costs plus an extrapolation from Wheatridge I, results in an annual, uninflated, cost of \$65,000. Expected revenue (not increased over 1979 tax rates and assessments) would be \$145,000 annually.

SUMMARY AND RECOMMENDATIONS

1. Indiana Annexation Statutes

As a voluntary annexation, The Park annexation meets the criteria of Indiana law, I.C. 18-5-10-23 by being contiguous to the City and by having been petitioned for by more than fifty-one percent (51%) of the property owners.

Indiana law is not clear on the need for a fiscal plan for a voluntary annexation. However, one has been prepared and it does meet the fiscal plan criteria of I.C. 18-5-10-23. These criteria have been adopted by the City of Fort Wayne by Resolution R-56-79 for all annexations. The criteria of State law are:

"The annexing city has developed a written fiscal plan and has established a definite policy, by resolution of the common council, as of the date of passage of the annexation ordinance, showing:

- (1) the cost estimates of planned services to be furnished to the territory to be annexed;
- (2) the method or methods of financing the planned services;
- (3) the plan for the organization and extension of services;
- (4) that planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services which are normally provided within the existing corporate boundaries, will be provided to the annexed territory within one (1) year from the effective date of annexation, and that they will be provided in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density; and
- (5) that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the effective date of the annexation, in the same manner as those services are provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and
- (6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation, but nothing herein shall require the annexing authority to hire any employees."

This document is the written fiscal plan which establishes a definite policy for providing municipal services to The Park within the specific time limits, as required by the Indiana Code. Once the annexation is passed by the Common Council, this document will be adopted and become an official document of the City. When the annexation becomes effective City departments will be notified and will modify their jurisdictions accordingly so that the plan can then be implemented.

Police and fire protection, emergency medical services, solid waste collection, and traffic control services are considered essential for the health and safety of The Park annexation area residents, patrons, and workers and will be available at standard levels upon annexation. All other non-capital services, such as street lighting, street maintenance, and all administrative functions of the City will also be provided upon annexation and in the same manner as they are normally provided within the City. As already indicated, at this time there are no public streets in the area so street lighting, street maintenance, and traffic control services are not required. Neither are additional park services as the area's population does not warrant additional service.

Future development will require streets, street lights, traffic control facilities, sewers, water service, and storm drainage. The City will regulate the provision of these services by the developer. Maintenance costs will then be assumed by the City and City Utilities in accord with routinely used policies and procedures.

The cost estimates of the planned services were obtained from the service departments and are included in this document. The method or methods of financing for each service is also included, as well as the plan for the organization and extension of services.

The Financial Summary shows the cost of providing these services, as well as the additional revenue the Civil City will receive.

This annexation will not eliminate the jobs of any employees of other governmental entities, so no plans for the hiring of such employees are needed.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes:

A. The area proposed for annexation must have a unity of interest with the municipality.

The Park annexation area is needed for the future urban development of Fort Wayne. Once the area is urban, it will clearly be a part of the Fort Wayne Urban Community. The residents will participate in the Fort Wayne job market, retail trade, service community, and will use City services. Also, the Park area will be developed using City Utilities sewer and water.

B. The advantages to the proposed annexation area must outweigh the disadvantages.

As a voluntary annexation prior to development, the area will benefit from being developed at City standards and with the same standards as would apply after a later annexation. Also, the full range of Fort Wayne's municipal services will be provided. Annexation helps Fort Wayne remain viable which is a benefit to eventual area residents. The only disadvantage is the higher tax rate.

C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation prevents inequities in the tax burden shouldered by City residents and by the eventual Park residents. Also, annexation assures that duplication of service will be minimized and that the City will have planning jurisdiction over the future development of the area.

D. The deficit of income against expenses to the City must not be unreasonable.

As shown in the Financial Summary, upon annexation, there will not be a deficit of income to revenue. Projections are that this pattern will continue.

E. The City must desire to annex the area.

The Park annexation is a voluntary one. Yet, it conforms to the proposed annexation area of the Annexation Policy and Program Study. The area is likely to develop and for Fort Wayne to grow with the urban area, The Park must be annexed.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the legal and local criteria for annexation.

1. Community Development and Planning, Annexation Policy and Program Study, 1976.P42

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 13th day of November, 19 79 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 19th day of November, 19 79.

Charles W. Westerman
Charles W. Westerman
City Clerk